

### REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-4, 6, and 9-16 are currently pending. No claims have been amended herewith.

In the outstanding Office Action, Claims 1-4, 6, 9-13, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kamara reference (“JAVA Network: Remote Video Production and Storage”) in view of U.S. Patent Application Publication No. 2001/0035875 to Suzuki et al. (hereinafter “the ‘875 application”) in view of U.S. Patent No. 6,714,216 to Abe (hereinafter “the ‘216 patent”).

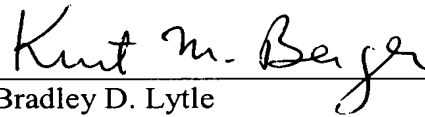
Regarding the rejection of Claims 1-4, 6, and 9-16 under 35 U.S.C. § 103(a) as being unpatentable over the Kamara reference, the ‘875 application, and the ‘216 patent, Applicants submit that the present application and U.S. Patent No. 6,714,216 were, at the time the invention of the present application was made, owned by Sony Corporation. See Statement of Common Ownership. Moreover, Applicants note that, since the present application claims priority to a PCT application filed on April 27, 2001, prior to the reference date of the ‘216 patent, the ‘216 patent qualifies as prior art only under 35 U.S.C. § 102(e). Accordingly, under 35 U.S.C. § 103(c), the ‘216 patent cannot be used in a rejection under 35 U.S.C. § 103 against the claims in the present application. See MPEP § 706.02(l)(2). Accordingly, Applicants request that the rejection of the claims as being unpatentable over the Kamara reference, the ‘875 application, and the ‘216 patent be withdrawn.

Thus, it is respectfully submitted that independent Claims 1, 9, 10, and 12 (and all associated dependent claims) patentably define over any proper combination of the Kamara reference, the ‘875 application, and the ‘216 patent.

Consequently, in view of the present amendment and in light of the above discussion, the grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, reading "Kurt M. Berger", is written over a horizontal line.

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

Kurt M. Berger, Ph.D.  
Registration No. 51,461